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7-7-94

June 7, 1994

William F. Caton  
Acting Secretary  
Federal Communications Commission  
Room 242  
1919 M Street, NW  
Washington, D.C. 20554

RE: Opening Comments of the Association for Local Telecommunication Services  
On Phases One and Two of the North American Numbering Plan NPRM

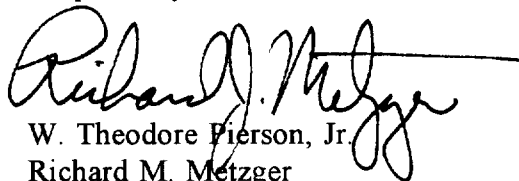
Dear Mr. Caton:

Enclosed herewith for filing are an original and nine copies of the Opening Comments of the Association for Local Telecommunication Services in the matter of the administration of the North American Numbering Plan.

I am also enclosing a copy marked "receipt copy" to be stamped as received and returned to us.

If you have any questions concerning this filing, please contact the undersigned.

Respectfully submitted,



W. Theodore Pierson, Jr.  
Richard M. Metzger  
Counsel for ALTS

Enclosure

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of )  
 )  
Administration of the ) CC Docket No. 92-237  
North American Numbering Plan ) Phases One and Two

**OPENING COMMENTS OF THE ASSOCIATION FOR LOCAL  
TELECOMMUNICATIONS SERVICES ON PHASES ONE AND TWO OF THE NPRM**

The Association for Local Telecommunications Services ("ALTS") hereby submits its initial comments in response to the Notice of Proposed Rulemaking, adopted on March 30, 1994, and released on April 4, 1994, FCC 94-79 ("NPRM").

**INTRODUCTION**

ALTS welcomes the Commission's proposal to remove both the policy-making and ministerial aspects of the North American Numbering Plan ("NANP") from the control of the Regional Bell Operating Companies via their joint subsidiary, Bellcore. In particular, ALTS points out that:

- No existing industry organization currently qualifies for either the policy-making or ministerial roles of NANP in light of their existing rules and procedures. If the Commission were to consider choosing any existing entity for either role, the Commission should, at a minimum, require such an organization to adopt open membership (including full board representation), full sharing of information, and full participation in decision-making by all members;

- All existing NANP policies should be assembled and organized by Bellcore, and distributed for public comment and Commission approval prior to any shift in ministerial responsibility;

- The new policy-making body for the NANP should be directed to champion the development of local exchange competition through its active management of the NANP; and,

- All current NANP planning and operations should be reviewed immediately by the policy-making board to determine how existing plans for interchangeable NPAs and six-digit CIC codes can be augmented to accelerate the availability of local number portability through a prompt migration of the Public Switched Network to a full ten-digit number translation environment.

I. Phase One - The NANP Administrator and Policy Board Should Each Be Neutral as to Providers, But the Policy Board Should Be Actively Pro-Competition.

The original formulation of the North American Numbering Plan ("NANP") and its administration coincided with the emergence of direct long distance dialing shortly after World War II. Ever since then the NANP has continued to reflect the implicit monopoly that characterized American telecommunications at that time. Basic NANP policy decisions have always been made by the Bell System, just as specific central office number assignments have always been the responsibility of the largest exchange provider in each state, typically a Bell Operating Company.

At the time of divestiture these functions shifted to the joint subsidiary of the seven regional holding companies, Bellcore. However, Bellcore has now informed the Commission that it longer wishes to continue these responsibilities, resulting in this NPRM. In Phase One, the Commission has requested comments

on its proposal to shift both the policy-making and ministerial aspects of NANP from the control of Bellcore to some more neutral entities. Phase Two addresses specific NANP issues.

It is unmistakably clear that the LEC industry's current control over the NANP must cease as quickly as possible. ALTS agrees with the NPRM's proposal to sever the ministerial aspects of the NANP from its policy-making implications. The two functions are very different, and necessarily involve dissimilar skills and organizational procedures. Separating the functions will thus enable the Commission to select from a wider range of qualified candidates for each task.

One caution about the proposed split between ministerial and policy-making functions seems obvious. The body responsible for administration will have to start with a relatively complete set of policies in order to function as planned. While it might seem obvious that these policies should already exist in some form, they have long been administered by a small number of entities. This means the persons currently responsible for administering the NANP may sincerely feel they have an adequate understanding of existing policy, but those understandings need to be recorded and reconciled before they can be successfully handed off to a new organization.<sup>1</sup>

In order to deal with this problem, ALTS suggests that the

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<sup>1</sup> Industry guidelines already exist for the assignment of central office codes. Commission approval of these guidelines would still prove useful by removing any possible question about their full applicability for current and future administrators.

current NANP administrator be directed to set forth its existing policies in as much detail as possible. The Commission should then issue those policies for comment and ultimate Commission approval before any new body is formally charged with taking over their administration.

More important than the need for a comprehensive listing of NANP policy, however, is the need for neutrality in both the NANP administrator and the policy-making body. While there exist other industry entities which may have the technical skills to perform these functions, ALTS is not aware of any existing telecommunications organization which could perform either task with sufficient neutrality given their existing membership and procedures.<sup>2</sup> If the Commission were even to consider awarding either of these functions to a current telecommunications entity, it should, at a minimum, require open membership, including board representation, full sharing of information, and full participation in decision-making.

As for the new policy-making board proposed in the NPRM, ALTS agrees the board needs to be completely neutral. What concerns ALTS is that neutrality among parties, which ALTS endorses, is sometimes confused with neutrality among policies, which ALTS urges the Commission to reject. The policy board should not be an ivory tower body whose sole responsibility is to

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<sup>2</sup> The institutional problems that would be encountered if any existing bodies were to assume either role is amply demonstrated by Bellcore's own inability and unwillingness to continue on as NANP administrator.

resolve disputes involving arcane dialing issues. Instead, it should be charged by the Commission with the pro-active duty of scrutinizing NANP policies with a sharp eye to advancing competition in local telecommunications markets whenever possible.

This is not an insignificant point. Dialing protocols are proving to be one of the critical drivers in the emergence of effective local exchange competition (see the discussion of local number portability infra), and the evolution of that competition will be harmed immeasurably unless the policy board is charged with advancing competition in a prudent, yet aggressive fashion. ALTS emphatically believes that a pro-competitive mandate must be included in the policy board's charter.

## II. Phase Two - Technical Numbering Issues Should Not be Treated in Isolation from Pro-Competitive Issues Such as Local Number Portability.

ALTS is concerned by the structure of the NPRM in that certain critical pro-competitive issues, such as local number portability ("LNP"), are addressed in isolation from the ostensibly "technical" issues discussed in Phase Two, such as CIC code expansion. The irony in this separate treatment is that CIC codes were created as part of a conscious mandate to encourage competition in the long distance markets -- precisely the same overarching policy that is at stake in local number portability.<sup>3</sup>

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<sup>3</sup> See, e.g., the Commission's recent decision to require broader signalling interconnection in order to encourage tandem-

This irony is heightened by the fact that local number portability has far greater significance to local exchange competition than CIC code exhaust will ever have for long distance competition. Potential local exchange competitors have discovered that many business and residence customers are extremely reluctant to change local exchange carriers if this requires the customer to surrender its existing ten-digit numbers (i.e., the customer cannot "port" its existing numbers to a new local provider).<sup>4</sup>

Furthermore, it is clear that local number portability could be implemented using the same data base inquiry network architecture which currently supports 800 portability. Indeed, even the entrenched local exchange providers acknowledge that local number portability is "functionally equivalent to [portable] 800 service ... It's possible to use some kind of AIN deployment where every call is halted and a query made to a database to determine who and over which facilities to route the

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switched access competition. Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91-141 (decision released May 27, 1994, paragraphs 24-25).

<sup>4</sup> The public outcry which always accompanies NPA changes is a telling demonstration of the extent to which local customers are invested in their existing numbers, particularly since a new NPA involves only a change in a customer's first three digits. The advantage enjoyed by entrenched providers, absent LNP, is also well documented in the negotiations for local exchange competition in New York and Chicago, as well as in the alternative regulation proposal recently negotiated among Rochester Telephone Corp., Time Warner Communications, and the New York PSC staff.

call,"<sup>5</sup> but the LECs then go on to insist that "It's the mother of all data bases in the sky." Id.

Estimates of the cost of LNP will always be susceptible to exaggeration so long as it is treated in isolation from other network initiatives. ALTS fully understands that much of the planning for issues such as CIC code exhaustion and interchangeable NPAs has long been underway, and ALTS has no desire to harm the timing or expense involved in these initiatives. However, there is no evidence whatever that the many millions of dollars being committed to these projects -- amounts which the monopoly providers will ultimately seek to impose on the public -- have been reviewed with the goal of also advancing local exchange competition.

The portion of NANP's current planning and operations which is still amenable to reconsideration should be reexamined immediately to determine whether it could be altered to facilitate the advent of local number portability.<sup>6</sup> That is not

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<sup>5</sup> America's Network, "Local Number Portability," p. 26, quoting Ameritech's Mr. Nelson Ledbetter.

<sup>6</sup> The experience of 800 access is instructive in this regard. Although full 800 portability took considerable time to implement, it was possible for the monopoly LECs to create and provide NXX 800 access during the period before portability became available. Similarly, some entrenched local exchange providers are already providing some local numbers out of dedicated NXXs, even though none are offering full local number portability.

By integrating local number portability into all ongoing NANP activities, it may be possible to accelerate the migration to full local number portability. For example, interchangeable NPAs may make it possible to dedicate certain NXXs to new business customers and start performing 10-digit translations on just those NXXs immediately, thereby achieving LNP at least for new business



occurring now, and never will until the Commission recognizes that both economic and engineering efficiency would benefit from including the specific goal of local number portability within the NANP's near term planning and operations to the greatest extent possible.

### CONCLUSION

For the foregoing reasons ALTS respectfully urges the Commission to:

(1) recognize that existing entities will be unlikely to achieve the full neutrality needed to function as either the NANP administrator or the policy-making board without significantly altering their membership and procedures;

(2) require that the existing NANP administrator draft and distribute all existing NANP policies for public comment and Commission approval prior to surrendering administrative responsibility to any new entity;

(3) include in the charter of the new NANP policy-making body a mandate to enhance and accelerate local exchange competition; and


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customers at a minimum of expense and delay.

(4) consistent with the foregoing, direct that the goal of full effective local competition become an integrated part of all existing NANP planning and operations to the greatest extent possible. This would include, but not be limited to, a comprehensive review of existing interchangeable NPA and six-digit CIC code planning to determine whether anticipated network changes can be implemented in a fashion that will also facilitate local number portability.

Respectfully submitted,

**ASSOCIATION FOR LOCAL  
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June 7, 1994